

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CIVIL NO. 1:CV-01-336-01

v.

⋮  
⋮  
⋮  
⋮

TYRONE SMITH a/k/a "Manny"

**ORDER**

Before the court is court appointed counsel's Petition to Withdraw. Counsel was appointed to represent Defendant at a resentencing hearing which resulted in a reduction of Defendant's sentence by 120 months. On August 2, 2005, counsel received a copy of a letter addressed to the court that claimed ineffective assistance of counsel. As a result of the contents of that letter, counsel believes his ability to represent Defendant has been compromised.

Upon consideration thereof, **IT IS HEREBY ORDERED THAT:**

- 1) The motion is **GRANTED** and attorney Dennis E. Boyle is withdrawn as counsel for Defendant.
- 2) The Clerk of Court shall immediately file a notice of appeal on behalf of Defendant Tyrone Smith.
- 3) Defendant shall submit to the Third Circuit Court of appeals a request for court appointed counsel.

4) The Clerk of Court shall provide to Defendant a financial affidavit form along with the address of the Third Circuit Court of Appeals to which he shall direct his request.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: August 2, 2005.